



Office of the Clerk
United States Court of Appeals for the Ninth Circuit
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Molly C. Dwyer
Clerk of Court

August 15, 2014

To: Charles C. Rainey
Jennifer J. Hurley

From: Molly C. Dwyer, Clerk of Court
By: Liora Anis, Deputy Clerk

Re: Receipt of Deficient Excerpts of Record of Appellant on 08/14/2014

USCA No. 14-15700 S. Wilson v. Eric Holder, Jr., et al

The referenced excerpts or record cannot be filed for the following reasons(s):

- *Excerpts lack notice of appeal: The appellant's excerpts of record must include the notice of appeal. See 9th Cir. R. 30-1.4(a)(i).*
- *Excerpts lack district court docket sheet: The appellant's excerpts of record must include the trial court docket sheet as the last document. See 9th Cir. R. 30-1.4(a)(ii) and 30-1.6. **Please note that the "History" report does not satisfy this requirement because it does not include the text of each docket entry or the case and party information.***
- *Volume 2 lacks the index: Each volume of excerpts of record must begin with an index. See 9th Cir. R. 30-1.6.*

Within 14 days from the date of this notice, please submit replacement excerpts of record via Appellate ECF in compliance with Court rules.

The following action has been taken with respect to the excerpts of record received in this office:

- *The deficiency by the appellant is judged to be serious. We cannot file your excerpts. **The deficiency must be corrected within 14 days from the date of***

this notice or the case is subject to dismissal pursuant to 9th Cir. R. 42-1. The receipt of seriously defective excerpts of record in this office does not toll the time for filing the excerpts while the defect is being corrected.

9th Cir. R. 42-1 provides:

When an appellant fails to file a timely record, pay the docket fee, file a timely brief, or otherwise comply with rules requiring processing the appeal for hearing, an order may be entered dismissing the appeal. In all instances of failure to prosecute an appeal to hearing as required, the Court may take such other action as it deems appropriate, including imposition of disciplinary and monetary sanctions on those responsible for prosecution of the appeal.

If you don't submit your correction within 14 days of this notice, you must file a motion for leave to file late excerpts of record. *See* 9th Cir. R. 31-2.3 re: Extensions of time for filing brief.

See also 9th Cir. R. 30-2 re: Sanctions for Failure to Comply with Circuit Rule 30-1.